

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN 05 JUN 30 PM 2:39
NORTHERN DIVISION

JAMMY MORTON,

RECEIVED
CLERK, UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
BY *S.*

Plaintiff,

v.

Case No. 2:04-cv-102
HON. GORDON J. QUIST

WAYNE DESHAMBO, et al.,

Defendants.

/

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge (Docket #54) is approved and adopted as the opinion of the Court.
2. Plaintiff's motion to amend complaint (Docket #39) is GRANTED, defendants' motion for summary judgment (Docket #30) is GRANTED, and this complaint is DISMISSED in its entirety.
3. The Court can discern no good-faith basis for an appeal. Accordingly, an appeal of this action would not be taken in good faith.

JUN 30 2005

Dated: _____


GORDON J. QUIST
UNITED STATES DISTRICT JUDGE